MONDAY, FEBRUARY 1, 2010

FIFTY-FIRST LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 5:00 p.m., and was called to order by Mr. Speaker Ramsey.

<u>PRAYER</u>

The proceedings were opened with prayer by Pastor Tommy Vallejos of Faith Outreach Church in Clarksville, Tennessee, a guest of Senator Barnes.

PLEDGE OF ALLEGIANCE

Senator Barnes led the Senate in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Senators present were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Gresham, Harper, Haynes, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

COMMUNICATIONS

February 1, 2010

Lt. Governor Ron Ramsey Speaker of the Senate 1 Legislative Plaza Nashville, TN 37243

Dear Lt. Governor Ramsey,

Due to my continued health condition, I unfortunately will not be in attendance for the week of February 1st-5th, 2010, and I respectfully request that I am excused from the Senate Floor and Committee Meetings for this period.

Sincerely,

/s/ Senator Ophelia Ford State Senator, District 29

APPROVED: Lieutenant Governor

Ron Ramsey

February 1, 2010

Hon. Ron Ramsey Lt. Governor and Speaker of the Senate One Legislative Plaza Nashville, Tennessee 37243

Dear Governor Ramsey:

My doctor has advised that I need to further recuperate from pneumonia and the flu; therefore, I request that my absence from the Senate for the next few days be excused. Thank you for your assistance in this matter.

Very truly yours,

/s/ Douglas Henry

APPROVED: Lieutenant Governor Ron Ramsey

MOTION

Senator Norris moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bills Nos. 3180 through 3915** be passed on second consideration and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

SENATE BILLS ON SECOND CONSIDERATION

The Speaker announced that the following bills passed second consideration and were referred to the appropriate committees or held on the Clerk's desk:

Senate Bill No. 3180 referred to the Committee on Judiciary.

Senate Bill No. 3181 referred to the Committee on Government Operations.

Senate Bill No. 3182 referred to the Committee on Judiciary.

Senate Bill No. 3183 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3184 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3185 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3186 referred to the Committee on State and Local Government.

Senate Bill No. 3187 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3188 referred to the Committee on State and Local Government.

Senate Bill No. 3189 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3190 referred to the Committee on State and Local Government.

Senate Bill No. 3191 referred to the Committee on State and Local Government.

Senate Bill No. 3192 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3193 referred to the Committee on State and Local Government.

Senate Bill No. 3194 referred to the Committee on State and Local Government.

Senate Bill No. 3195 referred to the Committee on State and Local Government.

Senate Bill No. 3196 referred to the Committee on Judiciary.

Senate Bill No. 3197 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3198 referred to the Committee on State and Local Government.

Senate Bill No. 3199 referred to the Committee on State and Local Government.

Senate Bill No. 3200 referred to the Committee on State and Local Government.

Senate Bill No. 3201 referred to the Committee on Environment, Conservation and Tourism.

Senate Bill No. 3202 referred to the Committee on State and Local Government.

Senate Bill No. 3203 referred to the Committee on Judiciary.

Senate Bill No. 3204 referred to the Committee on State and Local Government.

Senate Bill No. 3205 referred to the Committee on State and Local Government.

Senate Bill No. 3206 referred to the Committee on Education.

Senate Bill No. 3207 referred to the Committee on Judiciary.

Senate Bill No. 3208 referred to the Committee on Education.

Senate Bill No. 3209 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3210 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3211 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3212 referred to the Committee on State and Local Government.

Senate Bill No. 3213 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3214 referred to the Committee on State and Local Government.

Senate Bill No. 3215 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3216 referred to the Committee on State and Local Government.

Senate Bill No. 3217 referred to the Committee on Transportation.

Senate Bill No. 3218 referred to the Committee on Transportation.

Senate Bill No. 3219 referred to the Committee on Judiciary.

Senate Bill No. 3220 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3221 referred to the Committee on Environment, Conservation and Tourism.

Senate Bill No. 3222 referred to the Committee on Judiciary.

Senate Bill No. 3223 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3224 referred to the Committee on State and Local Government.

Senate Bill No. 3225 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3226 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3227 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3228 referred to the Committee on Environment, Conservation and Tourism.

Senate Bill No. 3229 referred to the Committee on Transportation.

Senate Bill No. 3230 referred to the Committee on Education.

Senate Bill No. 3231 referred to the Committee on State and Local Government.

Senate Bill No. 3232 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3233 referred to the Committee on Education.

Senate Bill No. 3234 referred to the Committee on State and Local Government.

Senate Bill No. 3235 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 3236 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 3237 referred to the Committee on Judiciary.

Senate Bill No. 3238 referred to the Committee on Judiciary.

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Senate Bill No. 3259 referred to the Committee on Education.

Senate Bill No. 3260 referred to the Committee on Education.

Senate Bill No. 3261 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3262 referred to the Committee on Education.

Senate Bill No. 3263 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3264 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3265 referred to the Committee on Education.

Senate Bill No. 3266 referred to the Committee on Education.

Senate Bill No. 3267 referred to the Committee on Judiciary.

Senate Bill No. 3268 referred to the Committee on Education.

Senate Bill No. 3269 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 3270 referred to the Committee on State and Local Government.

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Senate Bill No. 3280 referred to the Committee on Judiciary.

Senate Bill No. 3281 referred to the Committee on Judiciary.

Senate Bill No. 3282 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 3283 referred to the Committee on Transportation.

Senate Bill No. 3284 referred to the Committee on State and Local Government.

Senate Bill No. 3285 referred to the Committee on Judiciary.

Senate Bill No. 3286 referred to the Committee on Transportation.

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Senate Bill No. 3298 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3299 referred to the Committee on Judiciary.

Senate Bill No. 3300 referred to the Committee on State and Local Government.

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Senate Bill No. 3302 referred to the Committee on Commerce, Labor and Agriculture.

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Senate Bill No. 3316 referred to the Committee on Transportation.

Senate Bill No. 3317 referred to the Committee on Judiciary.

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Senate Bill No. 3320 referred to the Committee on Education.

Senate Bill No. 3321 referred to the Committee on Education.

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Senate Bill No. 3341 referred to the Committee on Government Operations.

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Senate Bill No. 3360 referred to the Committee on Finance, Ways and Means.

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Senate Bill No. 3433 referred to the Committee on Transportation.

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Senate Bill No. 3435 referred to the Committee on Transportation.

Senate Bill No. 3436 referred to the Committee on Transportation.

Senate Bill No. 3437 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3438 referred to the Committee on Judiciary.

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Senate Bill No. 3440 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3441 referred to the Committee on Education.

Senate Bill No. 3442 referred to the Committee on Transportation.

Senate Bill No. 3443 referred to the Committee on Judiciary.

Senate Bill No. 3444 referred to the Committee on Judiciary.

Senate Bill No. 3445 referred to the Committee on Judiciary.

Senate Bill No. 3446 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3447 Local bill -- held on desk.

Senate Bill No. 3448 referred to the Committee on Judiciary.

Senate Bill No. 3449 referred to the Committee on Education.

Senate Bill No. 3450 referred to the Committee on State and Local Government.

Senate Bill No. 3451 referred to the Committee on Environment, Conservation and Tourism.

Senate Bill No. 3452 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 3453 referred to the Committee on Education.

Senate Bill No. 3454 referred to the Committee on State and Local Government.

Senate Bill No. 3455 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3456 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 3457 referred to the Committee on Transportation.

Senate Bill No. 3458 referred to the Committee on Transportation.

Senate Bill No. 3459 referred to the Committee on Judiciary.

Senate Bill No. 3460 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3461 referred to the Committee on Judiciary.

Senate Bill No. 3462 referred to the Committee on Judiciary.

Senate Bill No. 3463 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3464 referred to the Committee on State and Local Government.

Senate Bill No. 3465 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 3466 referred to the Committee on State and Local Government.

Senate Bill No. 3467 referred to the Committee on Commerce, Labor and Agriculture.

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Senate Bill No. 3470 referred to the Committee on Commerce, Labor and Agriculture.

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Senate Bill No. 3489 referred to the Committee on State and Local Government.

Senate Bill No. 3490 referred to the Committee on State and Local Government.

Senate Bill No. 3491 referred to the Committee on Transportation.

Senate Bill No. 3492 referred to the Committee on State and Local Government.

Senate Bill No. 3493 referred to the Committee on Judiciary.

Senate Bill No. 3494 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3495 referred to the Committee on Judiciary.

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Senate Bill No. 3503 referred to the Committee on Judiciary.

Senate Bill No. 3504 referred to the Committee on Judiciary.

Senate Bill No. 3505 referred to the Committee on Education.

Senate Bill No. 3506 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3507 referred to the Committee on Education.

Senate Bill No. 3508 referred to the Committee on Environment, Conservation and Tourism.

Senate Bill No. 3509 referred to the Committee on Environment, Conservation and Tourism.

Senate Bill No. 3510 referred to the Committee on State and Local Government.

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Senate Bill No. 3539 referred to the Committee on General Welfare, Health and Human Resources.

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Senate Bill No. 3543 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3544 referred to the Committee on General Welfare, Health and Human Resources.

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Senate Bill No. 3546 referred to the Committee on Judiciary.

Senate Bill No. 3547 referred to the Committee on State and Local Government.

Senate Bill No. 3548 referred to the Committee on State and Local Government.

Senate Bill No. 3549 referred to the Committee on State and Local Government.

Senate Bill No. 3550 referred to the Committee on Government Operations.

Senate Bill No. 3551 referred to the Committee on Judiciary.

Senate Bill No. 3552 referred to the Committee on State and Local Government.

Senate Bill No. 3553 referred to the Committee on State and Local Government.

Senate Bill No. 3554 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3555 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3556 referred to the Committee on State and Local Government.

Senate Bill No. 3557 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3558 referred to the Committee on Transportation.

Senate Bill No. 3559 referred to the Committee on Judiciary.

Senate Bill No. 3560 referred to the Committee on Judiciary.

Senate Bill No. 3561 referred to the Committee on Judiciary.

Senate Bill No. 3562 referred to the Committee on State and Local Government.

Senate Bill No. 3563 referred to the Committee on State and Local Government.

Senate Bill No. 3564 referred to the Committee on Judiciary.

Senate Bill No. 3565 referred to the Committee on Judiciary.

Senate Bill No. 3566 referred to the Committee on State and Local Government.

Senate Bill No. 3567 referred to the Committee on Judiciary.

Senate Bill No. 3568 referred to the Committee on Judiciary.

Senate Bill No. 3569 referred to the Committee on State and Local Government.

Senate Bill No. 3570 referred to the Committee on State and Local Government.

Senate Bill No. 3571 referred to the Committee on Judiciary.

Senate Bill No. 3572 referred to the Committee on Judiciary.

Senate Bill No. 3573 Local bill -- held on desk.

Senate Bill No. 3574 referred to the Committee on Judiciary.

Senate Bill No. 3575 referred to the Committee on Transportation.

Senate Bill No. 3576 referred to the Committee on State and Local Government.

Senate Bill No. 3577 referred to the Committee on State and Local Government.

Senate Bill No. 3578 referred to the Committee on State and Local Government.

Senate Bill No. 3579 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3580 referred to the Committee on Judiciary.

Senate Bill No. 3581 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3582 referred to the Committee on State and Local Government.

Senate Bill No. 3583 referred to the Committee on Education.

Senate Bill No. 3584 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3585 referred to the Committee on Judiciary.

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Senate Bill No. 3587 referred to the Committee on Commerce, Labor and Agriculture.

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Senate Bill No. 3591 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3592 referred to the Committee on State and Local Government.

Senate Bill No. 3593 referred to the Committee on State and Local Government.

Senate Bill No. 3594 referred to the Committee on State and Local Government.

Senate Bill No. 3595 referred to the Committee on Education.

Senate Bill No. 3596 referred to the Committee on State and Local Government.

Senate Bill No. 3597 referred to the Committee on State and Local Government.

Senate Bill No. 3598 referred to the Committee on State and Local Government.

Senate Bill No. 3599 referred to the Committee on State and Local Government.

Senate Bill No. 3600 referred to the Committee on Education.

Senate Bill No. 3601 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 3602 referred to the Committee on State and Local Government.

Senate Bill No. 3603 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3604 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3605 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3606 referred to the Committee on State and Local Government.

Senate Bill No. 3607 referred to the Committee on State and Local Government.

Senate Bill No. 3608 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3609 referred to the Committee on Judiciary.

Senate Bill No. 3610 referred to the Committee on State and Local Government.

Senate Bill No. 3611 referred to the Committee on Judiciary.

Senate Bill No. 3612 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3613 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3614 referred to the Committee on Judiciary.

Senate Bill No. 3615 referred to the Committee on Judiciary.

Senate Bill No. 3616 referred to the Committee on State and Local Government.

Senate Bill No. 3617 referred to the Committee on State and Local Government.

Senate Bill No. 3618 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3619 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3620 referred to the Committee on Environment, Conservation and Tourism.

Senate Bill No. 3621 referred to the Committee on Transportation.

Senate Bill No. 3622 referred to the Committee on State and Local Government.

Senate Bill No. 3623 referred to the Committee on Environment, Conservation and Tourism.

Senate Bill No. 3624 referred to the Committee on Transportation.

Senate Bill No. 3625 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3626 referred to the Committee on State and Local Government.

Senate Bill No. 3627 referred to the Committee on Judiciary.

Senate Bill No. 3628 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3629 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3630 referred to the Committee on Education.

Senate Bill No. 3631 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 3632 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3633 referred to the Committee on State and Local Government.

Senate Bill No. 3634 referred to the Committee on Environment, Conservation and Tourism.

Senate Bill No. 3635 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3636 referred to the Committee on State and Local Government.

Senate Bill No. 3637 referred to the Committee on State and Local Government.

Senate Bill No. 3638 referred to the Committee on Judiciary.

Senate Bill No. 3639 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3640 referred to the Committee on State and Local Government.

Senate Bill No. 3641 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3642 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3643 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3644 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3645 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3646 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 3647 referred to the Committee on State and Local Government.

Senate Bill No. 3648 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 3649 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3650 referred to the Committee on State and Local Government.

Senate Bill No. 3651 referred to the Committee on Environment, Conservation and Tourism.

Senate Bill No. 3652 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3653 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3654 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3655 referred to the Committee on State and Local Government.

Senate Bill No. 3656 referred to the Committee on State and Local Government.

Senate Bill No. 3657 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 3658 referred to the Committee on Judiciary.

Senate Bill No. 3659 referred to the Committee on State and Local Government.

Senate Bill No. 3660 referred to the Committee on State and Local Government.

Senate Bill No. 3661 referred to the Committee on Government Operations.

Senate Bill No. 3662 referred to the Committee on State and Local Government.

Senate Bill No. 3663 referred to the Committee on State and Local Government.

Senate Bill No. 3664 referred to the Committee on State and Local Government.

Senate Bill No. 3665 referred to the Committee on Transportation.

Senate Bill No. 3666 referred to the Committee on Environment, Conservation and Tourism.

Senate Bill No. 3667 referred to the Committee on Transportation.

Senate Bill No. 3668 referred to the Committee on Transportation.

Senate Bill No. 3669 referred to the Committee on Judiciary.

Senate Bill No. 3670 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 3671 referred to the Committee on Transportation.

Senate Bill No. 3672 referred to the Committee on State and Local Government.

Senate Bill No. 3673 referred to the Committee on Transportation.

Senate Bill No. 3674 referred to the Committee on State and Local Government.

Senate Bill No. 3675 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 3676 referred to the Committee on Judiciary.

Senate Bill No. 3677 referred to the Committee on State and Local Government.

Senate Bill No. 3678 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 3679 referred to the Committee on Judiciary.

Senate Bill No. 3680 referred to the Committee on Education.

Senate Bill No. 3681 referred to the Committee on State and Local Government.

Senate Bill No. 3682 referred to the Committee on State and Local Government.

Senate Bill No. 3683 referred to the Committee on State and Local Government.

Senate Bill No. 3684 referred to the Committee on State and Local Government.

Senate Bill No. 3685 referred to the Committee on State and Local Government.

Senate Bill No. 3686 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 3687 referred to the Committee on State and Local Government.

Senate Bill No. 3688 referred to the Committee on State and Local Government.

Senate Bill No. 3689 referred to the Committee on State and Local Government.

Senate Bill No. 3690 referred to the Committee on State and Local Government.

Senate Bill No. 3691 referred to the Committee on State and Local Government.

Senate Bill No. 3692 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 3693 referred to the Committee on Education.

Senate Bill No. 3694 referred to the Committee on State and Local Government.

Senate Bill No. 3695 referred to the Committee on Judiciary.

Senate Bill No. 3696 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3697 referred to the Committee on Judiciary.

Senate Bill No. 3698 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3699 referred to the Committee on Judiciary.

Senate Bill No. 3700 referred to the Committee on State and Local Government.

Senate Bill No. 3701 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3702 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 3703 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 3704 referred to the Committee on Judiciary.

Senate Bill No. 3705 referred to the Committee on State and Local Government.

Senate Bill No. 3706 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3707 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3708 referred to the Committee on State and Local Government.

Senate Bill No. 3709 referred to the Committee on Judiciary.

Senate Bill No. 3710 referred to the Committee on State and Local Government.

Senate Bill No. 3711 referred to the Committee on Transportation.

Senate Bill No. 3712 referred to the Committee on State and Local Government.

Senate Bill No. 3713 referred to the Committee on Education.

Senate Bill No. 3714 referred to the Committee on Judiciary.

Senate Bill No. 3715 referred to the Committee on State and Local Government.

Senate Bill No. 3716 referred to the Committee on State and Local Government.

Senate Bill No. 3717 referred to the Committee on Judiciary.

Senate Bill No. 3718 referred to the Committee on Delayed Bills.

Senate Bill No. 3719 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3720 referred to the Committee on Transportation.

Senate Bill No. 3721 referred to the Committee on Transportation.

Senate Bill No. 3722 referred to the Committee on State and Local Government.

Senate Bill No. 3723 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3724 referred to the Committee on State and Local Government.

Senate Bill No. 3725 referred to the Committee on Judiciary.

Senate Bill No. 3726 referred to the Committee on Judiciary.

Senate Bill No. 3727 referred to the Committee on State and Local Government.

Senate Bill No. 3728 referred to the Committee on Environment, Conservation and Tourism.

Senate Bill No. 3729 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3730 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3731 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3732 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3733 referred to the Committee on State and Local Government.

Senate Bill No. 3734 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3735 referred to the Committee on Judiciary.

Senate Bill No. 3736 referred to the Committee on Judiciary.

Senate Bill No. 3737 referred to the Committee on Education.

Senate Bill No. 3738 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3739 referred to the Committee on Judiciary.

Senate Bill No. 3740 referred to the Committee on Judiciary.

Senate Bill No. 3741 referred to the Committee on State and Local Government.

Senate Bill No. 3742 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3743 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3744 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3745 referred to the Committee on Judiciary.

Senate Bill No. 3746 referred to the Committee on Education.

Senate Bill No. 3747 referred to the Committee on State and Local Government.

Senate Bill No. 3748 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3749 referred to the Committee on Judiciary.

Senate Bill No. 3750 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3751 referred to the Committee on Judiciary.

Senate Bill No. 3752 referred to the Committee on Judiciary.

Senate Bill No. 3753 referred to the Committee on Judiciary.

Senate Bill No. 3754 referred to the Committee on Judiciary.

Senate Bill No. 3755 referred to the Committee on State and Local Government.

Senate Bill No. 3756 referred to the Committee on Judiciary.

Senate Bill No. 3757 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3758 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3759 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3760 referred to the Committee on Judiciary.

Senate Bill No. 3761 referred to the Committee on Education.

Senate Bill No. 3762 referred to the Committee on State and Local Government.

Senate Bill No. 3763 referred to the Committee on State and Local Government.

Senate Bill No. 3764 referred to the Committee on State and Local Government.

Senate Bill No. 3765 referred to the Committee on Education.

Senate Bill No. 3766 referred to the Committee on State and Local Government.

Senate Bill No. 3767 referred to the Committee on Transportation.

Senate Bill No. 3768 referred to the Committee on Judiciary.

Senate Bill No. 3769 referred to the Committee on Transportation.

Senate Bill No. 3770 referred to the Committee on Transportation.

Senate Bill No. 3771 referred to the Committee on Judiciary.

Senate Bill No. 3772 referred to the Committee on State and Local Government.

Senate Bill No. 3773 referred to the Committee on Education.

Senate Bill No. 3774 referred to the Committee on State and Local Government.

Senate Bill No. 3775 referred to the Committee on Judiciary.

Senate Bill No. 3776 referred to the Committee on State and Local Government.

Senate Bill No. 3777 referred to the Committee on Judiciary.

Senate Bill No. 3778 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 3779 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 3780 referred to the Committee on Transportation.

Senate Bill No. 3781 referred to the Committee on Judiciary.

Senate Bill No. 3782 referred to the Committee on Judiciary.

Senate Bill No. 3783 referred to the Committee on Judiciary.

Senate Bill No. 3784 referred to the Committee on Judiciary.

Senate Bill No. 3785 referred to the Committee on Judiciary.

Senate Bill No. 3786 referred to the Committee on Judiciary.

Senate Bill No. 3787 referred to the Committee on Government Operations.

Senate Bill No. 3788 referred to the Committee on Judiciary.

Senate Bill No. 3789 referred to the Committee on Environment, Conservation and Tourism.

Senate Bill No. 3790 referred to the Committee on Transportation.

Senate Bill No. 3791 referred to the Committee on Transportation.

Senate Bill No. 3792 referred to the Committee on State and Local Government.

Senate Bill No. 3793 referred to the Committee on Judiciary.

Senate Bill No. 3794 referred to the Committee on Judiciary.

Senate Bill No. 3795 referred to the Committee on Judiciary.

Senate Bill No. 3796 referred to the Committee on Education.

Senate Bill No. 3797 referred to the Committee on State and Local Government.

Senate Bill No. 3798 referred to the Committee on State and Local Government.

Senate Bill No. 3799 referred to the Committee on Transportation.

Senate Bill No. 3800 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3801 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3802 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3803 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3804 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3805 referred to the Committee on State and Local Government.

Senate Bill No. 3806 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3807 referred to the Committee on State and Local Government.

Senate Bill No. 3808 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3809 referred to the Committee on State and Local Government.

Senate Bill No. 3810 referred to the Committee on State and Local Government.

Senate Bill No. 3811 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3812 referred to the Committee on Judiciary.

Senate Bill No. 3813 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3814 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3815 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3816 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3817 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3818 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3819 referred to the Committee on Government Operations.

Senate Bill No. 3820 referred to the Committee on Judiciary.

Senate Bill No. 3821 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3822 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3823 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3824 referred to the Committee on State and Local Government.

Senate Bill No. 3825 referred to the Committee on State and Local Government.

Senate Bill No. 3826 referred to the Committee on Judiciary.

Senate Bill No. 3827 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3828 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3829 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3830 referred to the Committee on Education.

Senate Bill No. 3831 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3832 referred to the Committee on Environment, Conservation and Tourism.

Senate Bill No. 3833 referred to the Committee on Environment, Conservation and Tourism.

Senate Bill No. 3834 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3835 referred to the Committee on Education.

Senate Bill No. 3836 referred to the Committee on Education.

Senate Bill No. 3837 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3838 referred to the Committee on Education.

Senate Bill No. 3839 referred to the Committee on State and Local Government.

Senate Bill No. 3840 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3841 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3842 referred to the Committee on Judiciary.

Senate Bill No. 3843 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3844 referred to the Committee on State and Local Government.

Senate Bill No. 3845 referred to the Committee on Education.

Senate Bill No. 3846 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3847 referred to the Committee on Government Operations.

Senate Bill No. 3848 referred to the Committee on State and Local Government.

Senate Bill No. 3849 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3850 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3851 referred to the Committee on Commerce. Labor and Agriculture.

Senate Bill No. 3852 referred to the Committee on State and Local Government.

Senate Bill No. 3853 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3854 referred to the Committee on Environment, Conservation and Tourism.

Senate Bill No. 3855 referred to the Committee on State and Local Government.

Senate Bill No. 3856 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3857 referred to the Committee on State and Local Government.

Senate Bill No. 3858 referred to the Committee on Environment, Conservation and Tourism.

Senate Bill No. 3859 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3860 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3861 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3862 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3863 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3864 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3865 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3866 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3867 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3868 referred to the Committee on Judiciary.

Senate Bill No. 3869 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3870 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3871 referred to the Committee on Transportation.

Senate Bill No. 3872 referred to the Committee on Environment, Conservation and Tourism.

Senate Bill No. 3873 referred to the Committee on State and Local Government.

Senate Bill No. 3874 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3875 referred to the Committee on Education.

Senate Bill No. 3876 referred to the Committee on Education.

Senate Bill No. 3877 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3878 referred to the Committee on Education.

Senate Bill No. 3879 referred to the Committee on Education.

Senate Bill No. 3880 referred to the Committee on State and Local Government.

Senate Bill No. 3881 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 3882 referred to the Committee on State and Local Government.

Senate Bill No. 3883 referred to the Committee on Judiciary.

Senate Bill No. 3884 referred to the Committee on State and Local Government.

Senate Bill No. 3885 referred to the Committee on State and Local Government.

Senate Bill No. 3886 referred to the Committee on Transportation.

Senate Bill No. 3887 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 3888 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3889 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3890 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3891 referred to the Committee on Judiciary.

Senate Bill No. 3892 referred to the Committee on Education.

Senate Bill No. 3893 referred to the Committee on Judiciary.

Senate Bill No. 3894 referred to the Committee on State and Local Government.

Senate Bill No. 3895 referred to the Committee on State and Local Government.

Senate Bill No. 3896 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3897 referred to the Committee on Transportation.

Senate Bill No. 3898 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3899 referred to the Committee on State and Local Government.

Senate Bill No. 3900 referred to the Committee on State and Local Government.

Senate Bill No. 3901 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 3902 referred to the Committee on Transportation.

Senate Bill No. 3903 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3904 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3905 referred to the Committee on State and Local Government.

Senate Bill No. 3906 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3907 referred to the Committee on Transportation.

Senate Bill No. 3908 referred to the Committee on Education.

Senate Bill No. 3909 referred to the Committee on Judiciary.

Senate Bill No. 3910 referred to the Committee on General Welfare, Health and Human Resources.

Senate Bill No. 3911 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 3912 referred to the Committee on Transportation.

Senate Bill No. 3913 referred to the Committee on Commerce, Labor and Agriculture.

Senate Bill No. 3914 referred to the Committee on Finance, Ways and Means.

Senate Bill No. 3915 referred to the Committee on Finance, Ways and Means.

MOTION

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 751 through 752** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced that the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 751 by Senator Norris.

Budget Procedures -- Authorizes transmittal and filing of legislation that makes the budget by 4:00 p.m. on Monday, February 8, 2010.

Senate Joint Resolution No. 752 by Senator Kyle.

Budget Procedures -- Authorizes transmittal of budget document by close of business on Monday, February 8, 2010.

MOTION

Senator Norris moved, pursuant to Rule 21, House Joint Resolutions Nos. 765, 766, 768 and 770; Senate Joint Resolutions Nos. 744 through 750; and Senate Resolutions Nos. 187 and 188 lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced that the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

House Joint Resolution No. 765 -- Memorials, Death -- Connie Hall Givens.

The Speaker announced that he had referred House Joint Resolution No. 765 to the Committee on Calendar.

House Joint Resolution No. 766 -- Memorials, Recognition -- Benton County, 175th anniversary.

The Speaker announced that he had referred House Joint Resolution No. 766 to the Committee on Calendar.

House Joint Resolution No. 768 -- Memorials, Professional Achievement -- John Bartee, Sr., American Gelbvieh Association Hall of Fame.

The Speaker announced that he had referred House Joint Resolution No. 768 to the Committee on Calendar.

House Joint Resolution No. 770 -- Memorials, Death -- Robert James Barnett, M.D.

The Speaker announced that he had referred House Joint Resolution No. 770 to the Committee on Calendar.

Senate Joint Resolution No. 744 -- Memorials, Death -- Charles T. "Thad" Herndon III.

The Speaker announced that he had referred Senate Joint Resolution No. 744 to the Committee on Calendar.

Senate Joint Resolution No. 745 -- Memorials, Heroism -- 168th Military Police Battalion, Tennessee Army National Guard.

The Speaker announced that he had referred Senate Joint Resolution No. 745 to the Committee on Calendar.

Senate Joint Resolution No. 746 -- Memorials, Recognition -- Cumberland Presbyterian Church, 200th anniversary.

The Speaker announced that he had referred Senate Joint Resolution No. 746 to the Committee on Calendar.

Senate Joint Resolution No. 747 -- Constitutional Amendments -- Proposes a constitutional amendment to provide for popular election of Tennessee's attorney general.

The Speaker announced that he had referred Senate Joint Resolution No. 747 to the Committee on Judiciary.

Senate Joint Resolution No. 748 -- Memorials, Death -- Doris Smith Demos.

The Speaker announced that he had referred Senate Joint Resolution No. 748 to the Committee on Calendar.

Senate Joint Resolution No. 749 -- Memorials, Recognition -- Dean Dickey.

The Speaker announced that he had referred Senate Joint Resolution No. 749 to the Committee on Calendar.

Senate Joint Resolution No. 750 -- Memorials, Recognition -- Rob Lyons.

The Speaker announced that he had referred Senate Joint Resolution No. 750 to the Committee on Calendar.

Senate Resolution No. 187 -- General Assembly, Confirmation of Appointment -- Justice William C. Koch, TBI nominating commission.

The Speaker announced that he had referred Senate Resolution No. 187 to the Committee on Judiciary.

Senate Resolution No. 188 -- General Assembly, Confirmation of Appointment -- Judge John D. Wooten, Jr., TBI nominating commission.

The Speaker announced that he had referred Senate Resolution No. 188 to the Committee on Judiciary.

MOTION

Senator Norris moved that Rule 37 be suspended for the immediate consideration of **Senate Joint Resolution No. 751**, out of order, which motion prevailed.

RESOLUTION LYING OVER

Senate Joint Resolution No. 751 -- Budget Procedures -- Authorizes transmittal and filing of legislation that makes the budget by 4:00 p.m. on Monday, February 8, 2010.

On motion of Senator Norris, the rules were suspended for the immediate consideration of the resolution.

On motion, Senate Joint Resolution No. 751 was adopted.

CONSENT CALENDAR NO. 1

House Joint Resolution No. 750 -- Memorials, Public Service -- Congressman Bart Gordon.

House Joint Resolution No. 760 -- Memorials, Personal Occasion -- Lytle Wyatt Biggs and Carolyn Coleman Biggs, 50th wedding anniversary.

House Joint Resolution No. 761 -- Memorials, Retirement -- Curtis Adams.

House Joint Resolution No. 762 -- Memorials, Retirement -- Keith Bilbrey.

House Joint Resolution No. 764 -- Memorials, Death -- Judge Paul R. Wohlford.

Senate Joint Resolution No. 728 -- Memorials, Death -- Henry Spence Dupree, Jr.

Senate Joint Resolution No. 729 -- Memorials, Recognition -- LaDonna Y. Boyd, Miss Black Tennessee.

Senate Joint Resolution No. 730 -- Memorials, Recognition -- Blue Springs Baptist Church, 150th anniversary.

Senate Joint Resolution No. 731 -- Memorials, Recognition -- Pastor Allen Jackson.

Senate Joint Resolution No. 732 -- Memorials, Death -- Emmett Noel Kennon.

Senator Faulk moved that all Senate Joint Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Senators voting aye were: Barnes, Beavers, Berke, Black, Burchett, Burks, Crowe, Faulk, Finney, Gresham, Harper, Haynes, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--30.

A motion to reconsider was tabled.

CONSENT CALENDAR NO. 2

Senate Bill No. 2418 -- Administrative Procedure (UAPA) -- As introduced, removes authority of the Government Operations Committees to stay the running of the period between the time a rule is filed with the secretary and the rule's effective date. Amends TCA Title 4, Chapter 5.

Senate Bill No. 2420 -- Sunset Laws -- As introduced, extends Great Smoky Mountain parks commission, June 30, 2016. Amends TCA Title 4, Chapter 29, Part 2 and Title 11, Chapter 19, Part 1.

Senate Bill No. 2422 -- Sunset Laws -- As introduced, extends southeast interstate forest fire protection compact, June 30, 2017. Amends TCA Title 4, Chapter 29, Part 2 and Title 11, Chapter 4, Part 5.

Senate Bill No. 2423 -- Sunset Laws -- As introduced, extends Tellico reservoir development agency, June 30, 2016. Amends TCA Title 4, Chapter 29, Part 2 and Title 64, Chapter 1, Part 7.

Senate Bill No. 2435 -- Sunset Laws -- As introduced, extends the Tennessee athletic commission, June 30, 2014. Amends TCA Title 4, Chapter 29, Part 2 and Title 68, Chapter 115, Part 1.

Senate Bill No. 2437 -- Sunset Laws -- As introduced, extends compact for education, June 30, 2013. Amends TCA Title 4, Chapter 29, Part 2 and Title 49, Chapter 12, Part 2.

Senate Bill No. 2438 -- Sunset Laws -- As introduced, extends southern regional education compact, June 30, 2014. Amends TCA Title 4, Chapter 29, Part 2 and Title 49, Chapter 12, Part 1.

Senate Bill No. 2439 -- Sunset Laws -- As introduced, extends advisory board for rehabilitation centers, June 30, 2016. Amends TCA Title 4, Chapter 29, Part 2 and Title 49, Chapter 11, Part 7.

Senate Bill No. 2460 -- Sunset Laws -- As introduced, extends interstate compact on mental health, June 30, 2016. Amends TCA Title 4, Chapter 29, Part 2 and Title 33, Chapter 9, Part 2.

Senate Bill No. 2470 -- Sunset Laws -- As introduced, extends department of veterans affairs, June 30, 2014. Amends TCA Title 4, Chapter 29, Part 2 and Title 4, Chapter 3, Part 1.

House Joint Resolution No. 79 -- General Assembly, Statement of Intent or Position -- Expresses support for the "Read Across America" program.

House Joint Resolution No. 80 -- Naming and Designating -- "National Teacher Day", May 5, 2009.

Senator Faulk moved that all House Joint Resolutions be concurred in; and all Senate Bills be passed on third and final consideration, which motion prevailed by the following vote:

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Gresham, Harper, Haynes, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

CALENDAR

Senate Bill No. 1529 -- Criminal Procedure -- As introduced, allows attorney general or the chief deputy to issue a subpoena for production of records related to Internet and computer use in cases of sexual exploitation of a minor. Amends TCA Title 40, Chapter 17, Part 1, as amended.

On motion, Senate Bill No. 1529, as amended, was made to conform with **House Bill No.** 1257.

On motion, House Bill No. 1257, on same subject, was substituted for Senate Bill No. 1529, as amended.

House Bill No. 1257 passed its third and final consideration by the following vote:

Senators voting aye were: Barnes, Beavers, Berke, Black, Burchett, Burks, Crowe, Faulk, Finney, Gresham, Harper, Haynes, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--30.

A motion to reconsider was tabled.

Senate Bill No. 2101 -- Motor Vehicles -- As introduced, authorizes certain municipalities to allow golf carts on certain public roads within their jurisdiction upon the adoption of an ordinance by a two-thirds vote. Amends TCA Title 55, Chapter 1, Part 1 and Title 55, Chapter 8.

On motion, Senate Bill No. 2101 was made to conform with House Bill No. 2069.

On motion, House Bill No. 2069, on same subject, was substituted for Senate Bill No. 2101.

Senator Tracy moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 55-1-123, is amended by deleting the section in its entirety and by substituting instead the following language:

§ 55-1-123. "Golf cart" means a motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and equipped with safety belts installed for use in the left front and right front seats and that is not capable of exceeding speeds of twenty miles per hour (20 mph);

SECTION 2. Tennessee Code Annotated, Section 55-8-101, is amended by adding the following language as a new, appropriately designated subdivision:

() "Golf cart" means a motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and equipped with safety belts installed for use in the left front and right front seats and that is not capable of exceeding speeds of twenty miles per hour (20 mph);

SECTION 3. Tennessee Code Annotated, Title 55, Chapter 8, is amended by adding the following language as a new, appropriately designated section:

- (a) In order to evaluate providing municipalities with the authority to allow the use of certain golf carts on highways within the jurisdiction of the municipality, there is established a pilot program as described in this section.
- (b) Until July 1, 2011, the governing body of any municipality having a population of:

<u>not less than</u>	<u>nor more than</u>
1,410	1,420
1,700	1,710
1,900	1,910
2,020	2,030
4,020	4,030
6,860	6,870
10,750	10,800
11,525	11,535

according to the 2000 federal census or any subsequent federal census, or a municipality having a population of not less than one thousand six hundred sixty (1,660) nor more than one thousand six hundred seventy (1,670) which

is located inside a county having a population of not less than seven thousand nine hundred (7,900) nor more than seven thousand nine hundred seventy (7,970) according to the 2000 federal census or any subsequent federal census, may authorize and regulate the operation of a golf cart on any public roadway within such municipality that is not a part of the county highway system or the state system of highways or the interstate and national defense highway system upon the governing body of such municipality adopting an ordinance by a two-thirds (2/3) vote specifying each roadway that is open for golf cart use.

- (c) The ordinance shall require that a golf cart operated on a designated public roadway:
 - (1) Be issued a permit for the golf cart by the municipality;
 - (2) Display a sticker or permit that identifies that the golf cart is allowed to be operated on specific roadways within the municipality; and
 - (3) Be inspected by the chief law enforcement officer of the municipality, or his designee, to ensure that the golf cart complies with the requirements of this section. The inspection fee under this subdivision (c)(3) shall not exceed ten dollars (\$10.00).
- (d) Following the adoption of such an ordinance, a person may operate a golf cart on a public roadway pursuant to subsection (b) if:
 - (1) The posted speed limit of the designated public roadway is thirty miles per hour (30 mph) or less;
 - (2) The operator of the golf cart does not cross a roadway having a posted speed limit of more than thirty miles per hour (30 mph);
 - (3) The golf cart is being operated between one-half (1/2) hour after sunrise and one-half (1/2) hour before sunset;
 - (4) The operator and any passengers in the front seat are restrained by a safety belt at all times the golf cart is in forward motion; and
 - (5) The golf cart is equipped with the following:
 - (A) Headlights;
 - (B) A tail lamp, stop lights, reflectors or an emblem or placard for slow moving vehicles;
 - (C) A mirror; and
 - (D) Brakes;

- (6) The headlights of the golf cart are displayed during operation; and
 - (7) The driver possesses a valid driver license.
- (e) Any person operating a golf cart on a public roadway under this section shall be subject to this chapter.
- (f) The Department of Transportation may prohibit the operation of a golf cart on a public roadway designated under subsection (b) that crosses a highway which is part of the state system of highways if it determines that such prohibition is necessary in the interest of public safety.
- (g) This section shall not apply to a golf cart that is not used on a public roadway except to cross a roadway while following a golf cart path on a golf course.
- (h) Each municipality participating in such pilot program shall submit a report to the Department of Safety and the Transportation Committees of the House of Representatives and the Senate no later than the fifth of each month after the governing body enacts the ordinance authorizing golf carts on certain roadways detailing the program in such municipality. In addition to such monthly report, each municipality participating in the pilot program shall submit a cumulative report to the Transportation Committees of the House of Representatives and the Senate no later than February 1, 2011, detailing the program in such municipality. Each monthly and cumulative report shall include:
 - (1) The total number of golf carts approved under this section;
 - (2) The amount of citations issued to owners or drivers of such golf carts;
 - (3) The number and severity of any incidents or accidents involving such golf carts; and
 - (4) Any unforeseen effects of the pilot project.
- (i) This section shall terminate on July 1, 2011, unless re-enacted or extended by the general assembly prior to such date.

SECTION 4. This act shall take effect July 1, 2010, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **House Bill No. 2069**, as amended, passed its third and final consideration by the following vote:

Senators voting aye were: Barnes, Beavers, Berke, Black, Burchett, Burks, Crowe, Faulk, Finney, Gresham, Harper, Haynes, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--30.

A motion to reconsider was tabled.

Senate Bill No. 2419 -- Sunset Laws -- As introduced, extends board of land survey examiners, June 30, 2011. Amends TCA Title 4, Chapter 29 and Title 62, Chapter 18, Part 1.

Senator Watson moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting Section 2 of the introduced bill in its entirety and by substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-237(a), is amended by adding a new subdivision thereto, as follows:

() Board of land survey examiners, created by § 62-18-103;

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2419**, as amended, passed its third and final consideration by the following vote:

Senators voting aye were: Barnes, Beavers, Berke, Black, Bunch, Burchett, Burks, Crowe, Faulk, Finney, Gresham, Harper, Haynes, Herron, Jackson, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Overbey, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager and Mr. Speaker Ramsey--31.

A motion to reconsider was tabled.

Senator Watson moved that **Senate Bill No. 2466** be rereferred to the Committee on Calendar, which motion prevailed.

Senator Haynes moved that **Senate Joint Resolution No. 708** be placed on the Calendar for Thursday, February 4, 2010, which motion prevailed.

RECALL OF BILL

On motion of Senator Haynes, **Senate Bill No. 2579** was recalled from the Committee on State and Local Government.

WITHDRAWAL OF BILL

On motion of Senator Haynes, Senate Bill No. 2579 was withdrawn from the Senate.

RECALL OF BILL

On motion of Senator Gresham, **Senate Bill No. 2794** was recalled from the Committee on Commerce, Labor and Agriculture.

WITHDRAWAL OF BILL

On motion of Senator Gresham, Senate Bill No. 2794 was withdrawn from the Senate.

RECALL OF BILL

On motion of Senator Burchett, **Senate Bill No. 2921** was recalled from the Committee on Finance, Ways and Means.

WITHDRAWAL OF BILL

On motion of Senator Burchett, Senate Bill No. 2921 was withdrawn from the Senate.

RECALL OF BILL

On motion of Senator Finney, **Senate Bill No. 3195** was recalled from the Committee on State and Local Government.

WITHDRAWAL OF BILL

On motion of Senator Finney, Senate Bill No. 3195 was withdrawn from the Senate.

RECALL OF BILL

On motion of Senator Ketron, **Senate Joint Resolution No. 716** was recalled from the Committee on Finance, Ways and Means.

WITHDRAWAL OF BILL

On motion of Senator Ketron, Senate Joint Resolution No. 716 was withdrawn from the Senate.

RECESS

Senator Norris moved the Senate recess and repair to the House Chamber to meet the House of Representatives in Joint Convention for the purpose of hearing the message of the Governor, and further moved that at the conclusion of the Joint Convention that the Senate adjourn until 8:30 a.m., Wednesday, February 3, 2010, which motion prevailed.

IN JOINT CONVENTION MESSAGE OF GOVERNOR

CALL TO ORDER

Mr. President Ramsey called the Joint Convention to order pursuant to **Senate Joint Resolution No. 690**.

ROLL CALL

Mr. President Ramsey declared that a quorum was present.

On motion of Senator Norris, the roll call of the Senate was dispensed with.

On motion of Representative Mumpower, the roll call of the House was dispensed with.

Mr. Russell Humphrey, Chief Clerk of the Senate, read **Senate Joint Resolution No. 690**, authorizing the Joint Convention to hear the Message of Governor Phil Bredesen.

MOTION

Madame Speaker Pro Tempore Woodson moved that Mr. President Ramsey appoint a committee composed of six members from the Senate and six members from the House of Representatives to notify the Governor that the Joint Convention was in session and awaiting his arrival, which motion prevailed.

APPOINTMENT OF SELECT COMMITTEE

Mr. President Ramsey appointed a committee composed of Senators Burks, Jackson, Johnson, Southerland, Stewart and Tracy; and Representatives Armstrong, Fitzhugh, Montgomery, Rowland, Sargent and Tindell. Senator Johnson served as Chairperson of this committee.

RECESS

On motion, the Joint Convention recessed pending the arrival of the Governor.

CALL TO ORDER

- Mr. President Ramsey called the Joint Convention to order.
- Mr. President Ramsey declared a quorum was present.

On motion, the roll calls of the Senate and House of Representatives were dispensed with.

The Honorable Phil Bredesen, Governor, appeared at the Bar of the House Chamber and was escorted to the Speaker's Podium.

Mr. President Ramsey presented the Honorable Phil Bredesen, who delivered the following address:

STATE OF THE STATE ADDRESS

Governor Philip N. Bredesen February 1, 2010

Lieutenant Governor Ramsey, Speaker Williams, Speaker Pro Tem DeBerry, Members of the 106th General Assembly, Justices, Constitutional Officers, friends, guests and my fellow Tennesseans.

Once again, I stand before you tonight to report on the State of our State and to present and recommend a budget prepared in accordance with the requirements of our Constitution.

As we begin, I want to once again recognize the men and women of our state who are serving our country abroad this evening. As we gather here, about 1,200 members of the Tennessee National Guard are deployed in Iraq and Afghanistan. This coming Friday, we'll see off more than 3,000 members of our 278th Armored Cavalry Regiment being redeployed to Iraq. Most of these men and women spent 2005 there, and now five years later are returning again. Included among these soldiers returning to Iraq is a member of this body, Lieutenant Colonel John Mark Windle. Since 9/11, nearly 20,000 Tennessee National Guard Soldiers and Airmen have deployed to Iraq and Afghanistan. In their response to our nation's war on terror, these men and women have proved again Tennessee's claim on the title "The Volunteer State."

I've invited some representatives of these men and women to join us here tonight and would ask you to each stand as I introduce you, and then we would all like to show our appreciation:

Master Sergeant Rosie Biggs has been deployed with the 168th Military Police Battalion out of Dyersburg. This battalion conducted detainee operations in Iraq, and she returned last fall to Tennessee.

Captain David Roberts returned in December from his fourth deployment to Afghanistan, his third as a member of the Tennessee Army National Guard. He was a Security Force Team leader and completed over 250 missions.

Senior Airman Jessica Webb is a member of the 118th Airlift Wing, and recently won the 2009 Airman of the Year award for the entire Tennessee Air National Guard. When she is not serving as a Command Post Controller she is one of Tennessee's teachers, working at Love Chapel Elementary in Erwin.

And finally, I'd like to ask General Max Haston to stand with these representatives of his soldiers and airmen. General Haston is Tennessee's new Adjutant General and took over from Gus Hargett just last month. He comes from a family with a long and distinguished history of service in our Guard. At the change of command ceremony last month, his father, Jerry Haston, who was a Master Sergeant for 44 years in the Tennessee Guard, watched his son be promoted to Major General and saw him assume command of the Tennessee National Guard. I can tell you there was one proud Master Sergeant at that ceremony.

For each of these men and women here tonight, and for all of the colleagues they represent, would you please join me in showing your appreciation?

These Tennesseans are with us tonight to receive your thanks on behalf of their colleagues. Once again, there are Tennesseans who are missing. Since I stood before you last year, another 11 Tennesseans have lost their lives in the war on terror, for a total now since 2001 of 114 brave men and women. As we have done in the past and as is proper tonight, I ask you to join me in recognizing their sacrifice with a moment of silence.

I want to begin this evening by thanking the members of the General Assembly for the extraordinary job you have just done in our special session on education. I know the weeks were stressful, but the way you conducted your business is exactly the way it is supposed to work.

There was nothing superficial about the results: the changes you made to the law were real and will change the way that both K-12 and higher education work – for the better – in the years ahead. A lot had been worked out ahead of time by representatives from both parties and both chambers as well as the education community, and the result was a genuine melding of ideas from

different points of view. It was a better product for that. Both individuals and organizations with specific interests found ways to keep those interests in check and come together for a common good. There was no splitting along partisan fault lines; the final vote was genuinely bipartisan. There's a governor's race going on, and two of the candidates, from different parties, are major players in the legislative process. In a lot of places, this would be a prescription for trouble, but one of my favorite memories of the session was seeing Jim Kyle and Ron Ramsey sitting next to each other, at the end of my table, calmly and productively working on moving the reforms forward.

In the end, not only was the vote bipartisan, but it was also overwhelming, and made clear to everyone that these reforms are not a Bredesen plan, they're not a Democratic plan, they're not a Republican plan. These reforms are Tennessee's plan and that is going to make a lot of difference in the years ahead.

I want to also say a special word of thanks to the Tennessee Education Association, the TEA, the teachers' union. To Earl Wiman and Al Mance, and to my friend Jerry Winters and all the members you represent, thank you. I know you become a political whipping boy from time to time, and I know you have a job to do for your teachers. Your cousins in some other states have not always been as concerned with putting students first as they might be. But if anyone ever had any doubt about your dedication to the good of the children of our state, the way in which you handled yourselves in the special session have put them to rest. You're good to work with; you've taught me a lot. You are a class act, and I thank you.

I want now to talk for a moment with the teachers in our state. I do understand that some of the changes we have made, especially those regarding the use of student achievement in teacher evaluation, cause some of you concern. I've talked with a lot of teachers these past few weeks. Some hate these changes, some love them, many are concerned but waiting to see. I want you to know that I understand and respect your concerns, and understand that teaching is a profession that has many more dimensions than can be measured by a student's performance on a written test. I also understand that there are many factors beyond your control; the influence of home and parents, and the personalities of the students themselves. Let's work together to find an approach that is both fair to your teaching profession and which gives our citizens confidence that the money they have invested in our schools is being used well.

The reforms you approved in our higher education system were far-reaching as well. There is now a lot of work to be done to flesh out those reforms, and I plan to spend a good deal of time during my final year as governor working to move this along.

There has already been one very positive development. Dr. Shirley Raines at the University of Memphis has been working for some time now to put together a coalition of life sciences organizations to work with the University to help grow its standing as a research institution. The General Assembly's approval of the UT Energy Campus at Oak Ridge has brought her long-simmering effort to a boil.

In the past week, this has enabled Dr. Raines to finalize a memorandum of understanding with nine of these organizations, including St. Jude Children's Research Hospital and the University of Tennessee Health Sciences Center. This Memphis Research Consortium holds great potential: it can help the University to grow its research mission and it can help lay the foundations for an even more robust biotech economy in Memphis.

Almost three weeks ago, standing right here I challenged the University of Tennessee to become one of the top 25 public research universities in the United States in the next decade. Tonight, I challenge the University of Memphis to do the same in its peer group. Dr Raines, I

challenge you to lead your University to become one of the Top 25 metropolitan research universities in the next decade. To both Dr. Simek and Dr. Raines: you have a job to do. We consistently reach those upper levels in our sports programs, there is no reason we can't do the same with our academic achievements, either in Knoxville or in Memphis.

This is the eighth and final time that I will report to you on the State of our State; it is the eighth and final time that I'll present a budget to you. We've had a share of easy years and tough years, but by any standard these past two years have been extraordinary. This coming one will be as well. The recession which has gripped our nation has been felt strongly here in Tennessee. We have seen unemployment and housing issues affect far too many of our families. Our state revenues have plummeted, creating tough challenges for us to maintain the services that our citizens want.

There are many things about this recession that we can't affect here in Tennessee. Believe me; I'm very aware of the pain and uncertainty that this recession is causing in homes all over our state and I'm very gratified by the renewed focus in Washington on our economy. I wish the Congress and the President well in their efforts to address these difficult issues. There are many things we can't address from Tennessee and what I've tried to do is to concentrate on two things that we can: managing our own house – state government – to live within its means, and continuing to look for ways to move forward on those things on which our future depends. Every day, every week, every month and every year is precious, and the state of our economy should never be an excuse for failing to advance the things that are most important to us.

Even as we have made some painful cuts, we have made some amazing progress as well. The special session just ended and its reforms to both K-12 and higher education is an example of that. The work we've done in setting higher standards in our K-12 system has gained us national recognition. We have attracted major private investments in the past 18 months that will benefit us for years to come. The Volkswagen plant in East Tennessee and the Nissan investment in electric vehicles in Middle Tennessee help secure our place in automotive manufacturing. Our concentration on green technologies and jobs have produced investments of more than a billion dollars each by Hemlock and Wacker. The Pew Charitable Trusts has named Tennessee one of the top three states in the nation for green jobs. To Matt Kisber, and his partner in this work Reagan Farr, great job fellows. To Jim Neeley and Jim Fyke and all the members of my Jobs Cabinet, for all you have done to advance this work, thank you as well.

We've talked about education and economic development before, but I'd like to take a moment this evening to celebrate an even more recent and quieter victory.

Vi Miller has run our Department of Children's Services for the past six years. I know that Vi and all the people who work in her department privately take great pride in loving and helping the many unfortunate children that come into their world. I also know that there may not be a more publicly thankless job in state government; their successes are quiet – the final adoption of a precious child to a loving home and family. But when things don't work out, they are front page news and the subject of brutal Monday-morning quarterbacking.

When Vi Miller joined us, she told me that she wanted to try to achieve formal accreditation for the department. I encouraged her; my own background is in health care where, as with children's services, the outcomes are not always what you would want. In child welfare, just as in health care, accreditation is how you assure yourself and the outside world that even when the results are imperfect, your approach is right, that you're doing the best that anyone knows how to do.

I have to admit I was skeptical. The Department of Children's Services had a host of internal tensions and philosophical differences. We didn't have nearly the budget that other states devoted to child welfare. The Department was the subject of legal action in federal court brought by an outside

advocacy group and it was operating under the terms of a consent decree – the so-called Brian A Decree – that the state entered into in 2001. May I say as an aside, the advocacy group in question – Children's Rights in New York City – has educated me about the very constructive role that advocates can play. They have been very tough and Ms. Lowry has certainly made both the Commissioner and me angry more than once. It's best when we work these things out ourselves, but if there has to be a forced marriage, this particular one is the way it ought to be.

Despite the problems and my misgivings, Commissioner Miller persevered and started the accreditation process in May of 2005; they developed new policies, they found problems and improved record-keeping, they trained some people and they fired some. They fixed environmental issues in their offices and redid emergency preparedness plans. They underwent onsite reviews for almost a year.

Commissioner Miller, would you please stand? I'm pleased to announce tonight that on January 22nd, Tennessee became the seventh state in the Union to operate a fully accredited child welfare system. Vi, to you and all of your team, congratulations.

Let's move on now to our state's financial situation, and to the budget which is being presented to you tonight. My goal throughout this recession has been to remain true to the principle of the "family budget" that I talked about when I first became governor. It's nothing more than the commonsense idea that we're going to adjust our expenses to match our income, and we're going to be very careful about using money from our savings account. It's the way sensible families have to manage through these times, and while the numbers for state government are much larger than for any family, the principle is the same.

In addition, while there was no way to avoid some use of our rainy day funds as revenues continued to fall, it has been important to me to have our finances stabilized so that I could pass on to the next governor a budget that matched recurring revenues and expenses. I've spoken before about the value I place on good stewardship.

I want to talk about our finances in three parts tonight. First, to walk you through just where we are right now, with regard to both expenses and our reserves. Second, I'll describe to you the basic budget that I recommend. Third, I believe we are in a strong enough position and it is raining hard enough that we can use some reserves to soften the worst of the cuts.

Just today, our President announced that he was proposing to extend for an additional six months a portion of the financial help to the states that was in the Recovery Act. This would take the form of funding in the Health and Human Services budget to continue through the first and second quarters of 2011 the higher Medicaid match that has been in effect since last year; this is the so-called enhanced FMAP about which you have heard. I very much appreciated the help to state finances in the Recovery Act; it enabled a much "softer landing" than would otherwise be possible, and allowed us to preserve jobs and plan more carefully for the reductions we would need to make. I thought it was a good move.

We were all very aware that these funds would disappear at the end of December this year, and have carefully planned how we transition from using those funds to once again standing on our own. That was the four-year budget that we presented to you last year. We have a good plan, and I think that it is important that we stick with it and not get our heads turned by the possibility of more one-time money.

Accordingly, the budget you are being presented makes no use whatsoever of any additional stimulus funds. If the Congress passes what the President is proposing, we or the next Governor and general assembly will deal with it once it actually happens. For now, let's stick with the plan.

First, our state's financial position: we're in a very strong one. As I stand here tonight, we have over \$900 million in the bank, in uncommitted reserves in our rainy day and TennCare reserve funds. We will draw those down modestly in the next few months according to the plan you approved. We'll end this fiscal year with about \$850 million in our two major reserve accounts.

In the budget that you passed last spring, there was a plan to draw down our reserves by \$430 million this year. As you know, this year's revenues have fallen short of last May's projections by about \$178 million. One might therefore expect that our reserves would decline by that additional amount, or a total of slightly over \$600 million this year. I'm pleased to report to you tonight that we have handled this year's entire additional problem with additional expense reductions, so that our reserves will end this year at the levels you budgeted despite the revenue shortfalls. In fact, we'll have an additional \$100 million to carry forward.

In short, we are on track with the plan you approved last spring, and have further adjusted it "on the fly" with additional spending reductions to match the additional revenue shortfalls that have occurred.

Second, the budget itself. The budget document that you are receiving tonight reflects the four-year plan we submitted last year, with further reductions to reflect the further revenue declines that we have experienced along with the rest of the country. As you will see, this is a very difficult budget, and will seem even more difficult as the year unfolds. Many cuts that were in the budget you passed last year were deferred using stimulus money but will hit in the months ahead. There are in essence cuts from two different years becoming effective at the same time.

First of all, I want you to know that once again, our state's Basic Education Program, the BEP, is fully funded.

To achieve that, we had to make one common sense adjustment and froze the growth in the capital outlay component this year. This relates to the growth component only, the underlying capital project allocation remains. Across state government, we are doing very little capital construction this year. It seems fair to ask public education to do the same.

Over the past several years, I have clearly pursued a strategy of constraining the growth of TennCare so that we can fund education at acceptable levels; put simply, doing a better job of balancing our investments in our two major line items: TennCare and Education. We have been very successful at this. Since its inception in the mid 1960s, Medicaid for many years had been a smaller part of our total budget than K-12 education. In 1981, the cost of Medicaid was about half of what we spent on K-12 education. However, Medicaid passed K-12 education in total funding in 1992. After that, it exploded; in the 2004 budget, TennCare was 34 percent and K-12 was 15 percent, a ratio of 2½ to 1 in favor of TennCare. In the budget you have before you, TennCare is 24 percent and K-12 education 19 percent, back to a ratio of about 1½ to 1. It is my hope in the years ahead we can continue to improve this balance.

In addition to the BEP, we have also put an absolute priority on our pension system, and once again we have fully funded the increased contribution that was recommended by our actuaries and adopted by the treasurer. The soundness of Tennessee's pension system is something we can be rightfully proud of.

Outside of these areas, what you will see are budget reductions that average about 6 percent. This year it was not feasible to make these reductions across the board, and there are a number of departments that have contributed a full 9 percent and others much less. Higher education, Mental Health and the Division of Intellectual Disabilities Services are at 6 percent, and

Children's Services is at 5 percent. In the Department of Correction, the only plausible way to get to anything approaching 9 percent would be to close one or two prisons; I've declined to do that and so their reduction is just 1 percent.

In the Department of Safety, the proposed reductions would have meant the elimination of 85 filled trooper positions and 56 filled positions in the driver's license stations. Rather than do this, we have proposed a revenue measure to prevent this; an increase in the driver's license fee from \$3.90 to \$5.75 annually, the first increase since 1988. We have also extended the license term from five years to eight. This will have the added benefit of partially funding the much needed digital upgrade to their radio system as well.

With these reductions, we had a budget that was consistent with the four-year plan I presented last year. To achieve these reductions in their entirety required the elimination of a variety of programs that are of real value. It's not a pleasant list. It also would require additional layoffs of 1,363 people in addition to the elimination of 456 unfilled positions.

That brings me to the third aspect of this budget, the use of some reserve funds to soften its effects.

The problem that we were faced with is this: we were looking at some very difficult cuts. At the same time, our reserves are strong and the prospects for a return to growth in the months ahead look far better today than they did a year ago. In this environment, should we go all the way with these cuts, or should we make some judicious use of our reserves to soften their effect?

We decided to present a plan that used reserves to fund the continuation of a number of programs for a two-year period. The reason for funding for two years instead of one was to give a new governor some breathing room at the beginning of his or her term, and to give additional time for the economy to recover and perhaps make the cuts a moot point. The programs that we have protected in this manner include:

- In the Department of Education, the Coordinated School Health Program, the Career Ladder extended contracts and family resource centers;
- In the Department of Health, Safety Net Grants to the Federally Qualified Health Centers and the Diabetes Prevention Program;
- In the Department of Mental Health, Community Mental Health Recovery Services and Alcohol and Drug Services;
- In the Department of Children's Services, the home visitation programs and the Juvenile Justice Prevention Grants:
- In the Division of Intellectual Disabilities Services, the Family Support Services Program; and
- In the Department of Human Services, the grants to Human Resource Agencies and Community Action Agencies.

In addition, we propose to preserve a portion of the filled positions that would be subject to layoffs to meet our budget requirements. Of the 1,363 total layoffs, slightly over a thousand are for good business reasons – bringing staffing ratios in line, for example, or closing an unneeded facility – and we should go ahead under any circumstances. However, there are 314 positions that we would strongly prefer not to lose. We are proposing to carry forward for two years those positions

along with 80 others scheduled for layoff this spring. At the end of the two years, the economy may have made the layoffs unnecessary, and further it has been our experience that people in those positions are likely to have found other jobs making any involuntary action unnecessary.

Finally, I know our state employees are glad to be working, but they have been without raises since 2007 and I would like to recognize their dedication by using some of our reserves to continue the enhanced 401K match at its current level and also pay them a 3 percent bonus.

What you have in front of you is a straightforward budget, although putting it together this year was difficult. In its base form, it corresponds closely to the four-year plan you were presented last year, suitably reduced to reflect further revenue shortfalls. It then proposes to use \$202 million of reserves to preserve some particularly important programs and several hundred jobs for two more years, in the hope that the economy will render cutting them not needed. If you adopt all of these suggested enhancements, the state's reserves in its Rainy Day Fund and TennCare will still remain above the 5 percent target. I believe it is a commonsense family budget in a very difficult time, and I hope you will consider and enact it promptly.

This is likely my final time to address you as governor. We still have a lot of work to do, and it's far too early for farewell remarks. I do want to say, however, a most sincere thank you for the way you have treated me and worked with me and my administration these past years. I have never had a job I enjoyed as much or gave me as much satisfaction as serving as governor. It has been a humbling experience. To those of you who have helped me, my sincere thanks. For those of you who have not, all is forgiven now!

I know how much so many of you care for our state and its people, and it has been an honor to work with you on their behalf. Thank you and Godspeed.

DISSOLUTION OF JOINT CONVENTION

Mr. President Ramsey declared that the purpose for which this Joint Convention was called having been accomplished, the Joint Convention stood dissolved.

MOTION

On motion of Senator Herron, his name was added as sponsor of **Senate Joint Resolution No. 728**.

On motion of Senators Barnes, Kyle, Marrero, Tate and Berke, their names were added as sponsors of **Senate Joint Resolution No. 729**.

On motion of Senators Tracy and Beavers, their names were added as sponsors of **Senate Joint Resolution No. 731**.

On motion of Senator Tracy, his name was added as sponsor of **Senate Joint Resolution No. 732**.

On motion of Senators Harper, Marrero, Woodson, Ketron, Overbey, Barnes and Johnson, their names were added as sponsors of **Senate Bill No. 1529**.

On motion of Senators Yager and Johnson, their names were added as sponsors of **Senate Bill No. 2101**.

On motion of Senators Overbey, Kyle, Marrero, Harper, Faulk and Burks, their names were added as sponsors of **House Joint Resolution No. 79**.

On motion of Senators Overbey, Berke, Kyle, Marrero, Harper, Faulk and Burks, their names were added as sponsors of **House Joint Resolution No. 80**.

On motion of Senators Tracy, Haynes, Jackson, Herron, Stewart, Kyle, Berke, Harper, Black and Burks, their names were added as sponsors of **House Joint Resolution No. 750**.

On motion of Senator Black, her name was added as sponsor of **House Joint Resolution No. 760**.

On motion of Senators Watson, Berke and Burks, their names were added as sponsors of **House Joint Resolution No. 761**.

On motion of Senators Overbey, Haynes, Kyle and Marrero, their names were added as sponsors of **House Joint Resolution No. 762**.

On motion of Senators Faulk and Mr. Speaker Ramsey, their names were added as sponsors of **House Joint Resolution No. 764**.

On motion of Senator Ketron, his name was added as sponsor of **Senate Bills Nos. 2488**, 2499, 2500, 2522, 2528, 2531, 2533, 2534, 2538, 2539, 2547, 2548, 2551, 2564, 2582, 2604, 2613, 2615, 2616, 2620, 2621, 2622, 2624, 2625, 2627, 2631, 2649, 2650, 2651, 2652, 2653, 2688, 2693, 2701, 2707, 2708, 2709, 2710, 2711, 2712, 2721, 2754, 2777, 2781 and 2785.

ENGROSSED BILLS

February 1, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Bills Nos. 2418, 2419, 2420, 2422, 2423, 2435, 2437, 2438, 2439, 2460 and 2470; and find same correctly engrossed and ready for transmission to the House.

M. SCOTT SLOAN, Chief Engrossing Clerk.

ENGROSSED BILLS

February 1, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Joint Resolutions Nos. 728, 729, 730, 731 and 732; and find same correctly engrossed and ready for transmission to the House.

M. SCOTT SLOAN, Chief Engrossing Clerk.

ENGROSSED BILLS

February 1, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Joint Resolution No. 751, and find same correctly engrossed and ready for transmission to the House.

M. SCOTT SLOAN, Chief Engrossing Clerk.

MESSAGE FROM THE HOUSE

February 1, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 774, 775, 778, 779, 780, 783 and 784; adopted, for the Senate's action.

BURNEY T. DURHAM, Chief Clerk.

MESSAGE FROM THE HOUSE

February 1, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 681, 683, 684, 685, 686, 687, 689, 691, 692, 693, 694, 696, 697, 700, 701, 702, 703, 704, 706, 707, 709, 710, 712, 713, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 743 and 751; concurred in by the House.

BURNEY T. DURHAM, Chief Clerk.

ENROLLED BILLS

February 2, 2010

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Joint Resolutions Nos. 681, 683, 684, 685, 686, 687, 689, 691, 692, 693, 694, 696, 697, 700, 701, 702, 703, 704, 706, 707, 709, 710, 712, 713, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 743 and 751; and find same correctly enrolled and ready for the signatures of the Speakers.

M. SCOTT SLOAN, Chief Engrossing Clerk.

MESSAGE FROM THE HOUSE

February 2, 2010

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 79, 80, 750, 760, 761, 762 and 764; for the signature of the Speaker.

BURNEY T. DURHAM, Chief Clerk.

SIGNED

February 2, 2010

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 681, 683, 684, 685, 686, 687, 689, 691, 692, 693, 694, 696, 697, 700, 701, 702, 703, 704, 706, 707, 709, 710, 712, 713, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 743 and 751.

SIGNED

February 2, 2010

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 79, 80, 750, 760, 761, 762 and 764.

MESSAGE FROM THE HOUSE

February 2, 2010

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 681, 683, 684, 685, 686, 687, 689, 691, 692, 693, 694, 696, 697, 700, 701, 702, 703, 704, 706, 707, 709, 710, 712, 713, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 743 and 751; signed by the Speaker.

BURNEY T. DURHAM, Chief Clerk.

REPORT OF COMMITTEE ON CALENDAR CONSENT CALENDAR

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Wednesday, February 3, 2010: Senate Joint Resolutions Nos. 733, 734, 735, 736, 738, 739, 740, 741 and 742.

This the 1st day of February, 2010. MIKE FAULK, Chairperson.

REPORT OF COMMITTEE ON CALENDAR CONSENT CALENDAR # 1

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, February 4, 2010: Senate Joint Resolutions Nos. 744, 745, 746, 748, 749 and 750; and House Joint Resolutions Nos. 765, 766, 768 and 770.

This the 2nd day of February, 2010. MIKE FAULK, Chairperson.

REPORT OF COMMITTEE ON CALENDAR CONSENT CALENDAR # 2

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, February 4, 2010: Senate Joint Resolutions Nos. 623, 626 and 705.

This the 2nd day of February, 2010. MIKE FAULK, Chairperson.

REPORT OF COMMITTEE ON CALENDAR

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Wednesday, February 3, 2010: Senate Bill No. 1899.

This the 1st day of February, 2010. MIKE FAULK, Chairperson.

REPORT OF COMMITTEE ON CALENDAR

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, February 4, 2010: Senate Joint Resolution No. 708.

This the 2nd day of February, 2010. MIKE FAULK, Chairperson.

ADJOURNMENT

Pursuant to Senator Norris's motion, the Senate adjourned until 8:30 a.m., Wednesday, February 3, 2010.